



Making Sure Crime Does Not Pay

By U.S. Sen. John Cornyn

Through most of my years in public service, I've been privileged to work alongside the men and women of Texas law enforcement. They are dedicated to discouraging criminal activity and protecting our fellow citizens.

While serving as Texas Attorney General, I administered a state fund that provides limited compensation to victims of crime and their families. In recent years, we have paid increased attention to victims' rights by providing them a more formal role in the criminal justice process. This is a welcome development.

But modern technology and our celebrity-obsessed culture have created a new challenge in criminal justice. Criminals, particularly murderers and sociopaths, have begun cashing in on their notoriety.

The trend started when some convicts began writing books about their misdeeds. Most states stopped that practice through "Son of Sam" laws that prohibit convicts from profiting through this twisted "literature."

More recently, however, criminals have built a thriving enterprise from their prison cells by selling what has become known as "murderabilia." This refers to tangible goods owned or created by convicted murderers being sold for profit, including personal items such as locks of hair, clothing, autographs or self-described "works of art." The disturbing practice is carried out almost exclusively online through collection and advertising. Some inmates even go so far as to sell items related to their actual crimes.

For example, a serial killer convicted for the 2002 sniper attacks in Maryland and Virginia, Lee Boyd Malvo, recently put a sketch of Osama bin Laden for sale online at a starting price of \$500. In addition, it was reported that Nathaniel Bar-Jonah, sentenced to 130 years for kidnapping and viciously assaulting a teenage boy, appears to be sending personal items to an outside contact to be sold on his behalf.

It's reprehensible that when criminals are supposed to be paying their debt for their misdeeds, many are instead exploiting their notoriety and profiting from their deplorable crimes.

Even more tragic is the effect this practice has on crime victims and their families. Many have already suffered immeasurably through the crime itself and the often lengthy process of bringing the criminal to justice. These murderabilia sales slow

the healing process, prevent the closure that crime victims deserve and make them suffer yet again.

Web sites peddling murderabilia are grotesque. They glorify the reprehensible, using slogans such as "Where crime pays, every day" and "The world's best serial killer autograph auction site." Some defenders even claim these offensive activities are protected as free speech.

Several months ago, my office was contacted about this growing exploitation by Andy Kahan, a tireless advocate for crime victims' rights in Houston Mayor Bill White's office. With his assistance, we have initiated steps to cut back or even eliminate this nascent industry.

In May, I introduced the Stop the Sale of Murderabilia to Protect the Dignity of Crime Victims Act of 2007. This legislation will prohibit state or federal prisoners from placing almost any item into the mail for purposes of interstate commerce. Experts believe this approach will starve the Web sites of products and either shut down or reduce dramatically the murderabilia industry.

This plan will require the cooperation of good corporate citizens, especially private delivery companies. I am confident they will be partners in this effort. Already, eBay has voluntarily refused to sell any of these products.

Last week, during visits to Houston and Dallas, I met with crime victims' families and their advocates to discuss this plan. I was inspired by the strength and courage these Texans demonstrated in the face of cruel exploitation.

We'll now start the process of explaining the need for legislation to others in Congress. I hope my colleagues will act quickly to protect the victims of this deplorable practice and make sure crime does not pay.

Sen. Cornyn serves on the Armed Services, Judiciary and Budget Committees. In addition, he is Vice Chairman of the Senate Select Committee on Ethics. He serves as the top Republican on the Judiciary Committee's Immigration, Border Security and Refugees subcommittee and the Armed Services Committee's Airland subcommittee. Cornyn served previously as Texas Attorney General, Texas Supreme Court Justice and Bexar County District Judge. For Sen. Cornyn's previous Texas Times columns: www.cornyn.senate.gov/column